

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RODNEY LIONEL BRADY,

Plaintiff,

v.

CASE NO. 5:08-CV-12892
HONORABLE JOHN CORBETT O'MEARA

J. POWERS.

Defendant.

**ORDER TRANSFERRING CASE TO THE UNITED STATES
DISTRICT COURT FOR THE WESTERN DISTRICT OF MICHIGAN**

Before the Court is Plaintiff Rodney Lionel Brady's *pro se* civil rights complaint brought pursuant to 42 U.S.C. § 1983. At the time he filed this complaint, Plaintiff was confined at the Ingham County Jail in Mason, Michigan. In his complaint, Plaintiff raises claims concerning the denial of headache and back pain medication while confined at the jail and names Ingham County Sheriff's Deputy J. Powers as the sole defendant in this action.

The proper venue for civil actions in which jurisdiction is not based on diversity of citizenship is the judicial district where: (1) any defendant resides if all defendants reside in the same state; (2) a substantial part of the events or omissions giving rise to the claim occurred or a substantial part of the property in question is situated; or (3) any defendant may be found if there is no other district in which plaintiff may bring the action. 28 U.S.C. § 1391(b). Public officials "reside" in the county where they serve. *See O'Neill v. Battisti*, 472 F.2d 789, 791 (6th Cir. 1972). Pursuant to 28 U.S.C. § 1404(a), a district court may transfer a civil action to any other district

where it might have been brought for the convenience of the parties and witnesses, in the interest of justice.

Having reviewed the complaint, the Court finds that the United States District Court for the Western District of Michigan is the more appropriate forum for this action. Both Plaintiff and Deputy Powers reside in Ingham County for purposes of the present complaint and the actions giving rise to the complaint occurred at the Ingham County Jail. Ingham County lies in the Southern Division of the Western District of Michigan. *See* 28 U.S.C. § 102(b). Accordingly, the Court **ORDERS** the Clerk of the Court to transfer this case to the United States District Court for the Western District of Michigan. 28 U.S.C. §§ 1391(b) and 1404(a).

s/John Corbett O'Meara
United States District Judge

Date: January 19, 2010

I hereby certify that a copy of the foregoing document was served upon plaintiff on this date, January 19, 2010, at G. Robert Cotton Correctional Facility, 3500 N. Elm Road, Jackson, Michigan 49201 by ordinary mail.

s/William Barkholz
Case Manager